

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

MARCO R. M.,

Plaintiff,

v.

CIVIL ACTION NO. 2:21cv38

KILOLO KIJAKAZI,¹
Acting Commissioner of Social Security,

Defendant.

FINAL ORDER

This matter comes before the court on Plaintiff, Marco R.M.'s ("Plaintiff") Motion for Summary Judgment and Brief in Support. ECF Nos. 12, 13. Defendant, the Acting Commissioner of the Social Security Administration ("the Commissioner") filed a Cross-Motion for Summary Judgment and Memorandum in Support, ECF Nos. 14, 15, and Plaintiff filed a Reply thereto, ECF No. 16.

On April 7, 2021, this matter was referred to United States Magistrate Judge Lawrence R. Leonard, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct necessary hearings, including evidentiary

¹ On July 9, 2021, Kilolo Kijakazi was appointed as the Acting Commissioner of Social Security. The Court thus substitutes Acting Commissioner Kilolo Kijakazi for former Commissioner Andrew Saul in this matter pursuant to Federal Rule of Civil Procedure 25(d).

hearings, if necessary, and to submit to the undersigned district judge proposed findings of fact, if applicable, and recommendations for the disposition of the matter. ECF No. 10.


The United States Magistrate Judge's Report and Recommendation ("R&R") was filed on January 10, 2022. ECF No. 17. The R&R recommends that Plaintiff's Motion for Summary Judgment be denied, the Commissioner's Motion for Summary Judgment be granted, the decision of the Commissioner be affirmed, and the matter be dismissed with prejudice.

By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 19-20. No objections were filed.

The court, having reviewed the record in its entirety, does hereby **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on January 10, 2022. ECF No. 17. Accordingly, Plaintiff's Motion for Summary Judgment is **DENIED**, and the Commissioner's Motion for Summary Judgment is **GRANTED**. The decision of the Commissioner is **AFFIRMED**, and this matter is **DISMISSED WITH PREJUDICE**.

The Clerk shall enter judgment in favor of the Commissioner and close the case on this court's docket. The Clerk is **DIRECTED** to send a copy of this Final Order to counsel for all parties.

IT IS SO ORDERED.

/s/ 
Rebecca Beach Smith
Senior United States District Judge

REBECCA BEACH SMITH
SENIOR UNITED STATES DISTRICT JUDGE

January 25, 2022